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C O N F I D E N T I A L SECTION 01 OF 02 DILI 000094

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SUBJECT: EAST TIMOR SITREP FOR MARCH 8, 2007

REF: DILI 092

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CLASSIFIED BY: Elizabeth S. Wharton, Political/Economic Officer,
US Embassy Dili, Department of State.
REASON: 1.4 (b), (d)

1. Summary:

-- Engaging with GOET on Reinado issue;
-- Reinado relays new "peaceful resolution" conditions;
-- Lobato verdict clarification;
-- Security update.
End summary.

Engaging with GOET on Reinado issue

2. (C) Embassy Dili has been reaching out to Timorese political leaders to discuss the current operation to arrest dissident military leader Major Alfredo Reinado and related security and political developments. CDA's March 8 conversation with President Xanana Gusmao on this and other topics is being relayed septel. Additionally, U.S. Defense Representative met with Prime Minister Jose Ramos-Horta on March 7 to discuss the GOET's current thinking on the Reinado situation. Ramos-Horta requested Embassy Dili's assistance on the military petitioner front, emphasizing the olive branch that he and the Timorese armed forces (F-FDTL) have been extending to the petitioners for months, and noting his frustration with the "obstructionist behavior" exhibited by "that bastard Salsinha" (1LT Gastao Salsinha the petitioner's leader and spokesman). Ramos-Horta also invited Embassy Dili to contact Reinado directly for the purpose of contributing a voice to the chorus of those interested in seeking out a prompt and peaceful outcome.

3. (C) Following consultation with the Australian Ambassador, Embassy Dili has decided against any outreach to Reinado at this time due to the potential sensitivity of ongoing military operations against him. In addition, we do not at this point believe it is appropriate to become directly involved in negotiations between the GOET and the petitioners. However, we note that while a number of petitioners, including spokesman Salsinha, joined Reinado in the February 25 weapons seizure and

the standoff in Same, the majority of the petitioners have been operating within the law and do not appear to have joined or directly supported Reinado's group. Embassy has over the last year had ongoing communication with many of the petitioners and believes that leaving these lines of communication open, while excluding those now involved with Reinado, is important to retain rapport and stay informed on this central issue. (Note: We are scheduled to meet with the Australian Ambassador and the ISF Commander on March 9 to further consult and to determine the current state of play of the operation against Reinado.)

Reinado relays new "peaceful resolution" conditions

14. (C) Reinado's lead Timorese lawyer, Benevides Correia, today delivered a revised version of a document from Reinado in which he presents a proposed "Peaceful Resolution Accord Between Alfredo Alves Reinado and the State of RDTL, Represented by the Prosecutor General." In relaying the document, Correia emphasized to CDA that he sees his role purely as an intermediary to help facilitate a process for Reinado to safely come in and receive fair justice. Correia is a long-time Embassy contact and our impression is that he is trying to play his role as a professional lawyer charged with defending Reinado's legal rights. However, because of his current role, he reported that he feels afraid for his personal safety. CDA made it clear to Correia that the USG plays no role as an intermediary for Reinado, a stance which Correia said he fully understands. Correia reported he had already delivered this document to GOET authorities. We relayed the document to the Australian Ambassador.

15. (SBU) In the document, which has signature lines for the Prosecutor General, the Bishop of Dili and the SRSG, Reinado relays the following key "requests":
-- to retain his status as a Military Police and Naval Commander and that his subordinates also be allowed to retain their military status
-- that the Interpol Red Notice for him and his subordinates be cancelled and that all charges be dropped against them in the cases of a) desertion in May 2006; b) illegal arms possession in

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May 2006; c) the events at the border posts on February 25; d) and any charges involving his recent presence in Same. (Note: He does not request that charges be dropped related to his actions in Fatuahi, Dili on May 23 for which the UN Commission of Inquiry recommended he be prosecuted. He also does not mention illegal weapons possession charges related to his July 2006 arrest in Dili.)
-- that he be provided with 24 hour security by the New Zealand armed forces, but with the U.S. given "responsibility for the security arrangements".
-- that he receive immediate access to defense counsel, of his own choosing and funded by the UN; that his prosecution team comprise two national prosecutors; and that he be judged by a panel of two national and one national judge.

16. (SBU) In exchange he offers:
-- the surrender of all weapons in his possession to the international forces
-- acceptance of one of several "coercive measures", such as house arrest, but accompanied by a statement that he "will NOT accept, under any circumstances Preventive Prison"

17. We have no indication that these overtures by Reinado are being seriously considered, but will check with the SRSG and the Bishop of Dili at a later date to get their views on these documents.

Lobato verdict clarification

18. (SBU) Local and international press coverage of yesterday's verdict in the trial of former Minister of Interior Rogerio Lobato (Dili ##) has alerted Embassy Dili to problems with the

simultaneous translation from Portuguese to Tetum. It turns out that one of Lobato's three co-defendants, Francisco Xavier Viegas was in fact cleared of all charges, rather than receiving the four-month suspended sentence reported yesterday. This relatively minor issue highlights a more systemic problem with the Timorese judicial system: the difficulty posed by the system's reliance on Portuguese, spoken by a small minority of Timorese, with poor translation into Tetum, along with the frequent lack of availability of decisions to the public, media, or judicial monitors. Embassy Dili will detail this and other judicial system problems in the context of the Lobato case in a forthcoming cable.

Security update

19. (SBU) There has been a significant drop off in security incidents over the last two days. The only incidents of which we are aware are two tire burnings last night. No incidents have been reported or observed so far today. SRSG Atul Khare relayed the UN's view that conditions are currently calm, but nonetheless advised us to "keep our guard up." As of today, RSO has extended the curfew applying to all mission Americans from 7 p.m. to 9 p.m. However, movement after 7 p.m. is to be limited to travel to establishments on the beach front road, where the Embassy and several restaurants are located. Comoro Road is off limits commencing at 7 p.m. and restrictions on travel to the southern and eastern neighborhoods, where much of this week's disturbances took place, continue to apply at all times.

HARSHA